

## REMARKS

Claims 21-48 are pending in the application. By this paper, it is proposed to amend independent claims 21, 38 and 48. Entry of this amendment is respectfully requested in order to place the application in condition for allowance or to narrow the issues for appeal. Reconsideration and allowance of claim 21-48 are respectfully requested.

### **Prior Art Rejection**

Claims 21 and 23-48 stand finally rejected under 35 U.S.C. §102(e) as being anticipated by U.S. patent number 6,297,524 to Vathulya, et al. ("Vathulya"). Claim 22 stands finally rejected under 35 U.S.C. §103(a) as being unpatentable over Vathulya. Reconsideration of these rejections is respectfully requested.

### Claim 21

Claim 21 is proposed to be amended to further clarify the features of this invention over the disclosure of Vathulya. Claim 21 recites a semiconductor component having first and second capacitance surface parts. The second capacitance surface part is in the form of a homogeneous cohesive elevation surrounded by the insulating layer. The amendment clarifies that the end of the elevation comprises **a top portion which is covered by the insulating layer**. Support for this amendment may be found in FIG. 1 of the application and the text associated therewith. For example, page 12, lines 6-14, recite

On the first plate 1, a plurality of electrically conductive regions 1a to 1j, which are in bar form, are arranged at right angles to the plate 1. The bar-like regions 1a to 1j are electrically connected directly to the plate 1 and are in the form of homogeneous, cohesive vias with a uniform length  $L_1$ . The bars 1a to 1j are oriented in the direction of the second metallization plane 2 and are not electrically connected thereto.

Thus, the elevation has a bottom portion (which may be considered proximate to the one of the first metallization plane and the second metallization plane to which the elevation is operatively connected) and a top portion (which may be considered distal to the one of the first metallization

plane and the second metallization plane to which the elevation is operatively connected). The top portion then extends into the insulating layer between the first metallization plane and the second metallization plane. The top portion is therefore covered by the insulating layer.

The Final Office Action acknowledges that the elevation portion 32 of Vathulya *“is surrounded on the left side and the right side by the insulating layer (27-30)”* (page 3, lines 1-2, emphasis added). The elevation portions 32 are actually electrically conductive vias extending through dielectric layers 26, 27, 28, 29. The vias 32, however, electrically engage the adjacent electrically conductive lines 22, 23, 24, 25. Thus, the vias 32 of Vathulya are not covered by the insulating layer as recited in claim 21.

#### Claim 38

Claim 38 is similarly proposed to be amended to further clarify the features of this invention over the disclosure of Vathulya. Claim 38 is amended to recite that the second capacitance part is in the form of a homogeneous cohesive elevation which comprises an end. The end is surrounded by the insulating layer and the end of the elevation comprises a top portion which is covered by the insulating layer.

This feature is missing from the disclosure of Vathulya. As noted above, Vathulya’s “elevation portion” is actually an electrically conductive via 32. The via is not covered by an insulating layer, as is the top portion of the elevation of claim 38. Rather, the via 32 is electrically and mechanically adjacent to conductive lines above and below the via. Only on its sides, in the same plane as the via 32, is the via adjacent to an insulating layer.

#### Claim 48

Claim 48 is similarly proposed to be amended to further clarify the features of this invention over the disclosure of Vathulya. Claim 48 is amended to recite that “the end of the elevation comprises a proximate portion which is electrically coupled with the one of the electrically conducting elements and a distal portion which is covered by the insulating layer.” Thus, it is further clear, as in the embodiment illustrated in FIG. 1, for example, that the elevations 1a – 1j, in bar form, are connected directly to plate 1 on one end (the proximate end).

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The bars are oriented in the direction of the second metallization plane and the distal portions of the bars are not electrically connected thereto. Instead, the distal portions are covered by the insulating layer.

Vathulya's device does not show elevations having a proximate portion which is electrically coupled with a conducting element or plate and a distal portion which is covered by insulating layer. Rather, the device in FIGS. 3-4 of Vathulya is formed of concentric, ring-shaped lines 22, 23, 24, 25 (column 2, line 65 – column 3, line 10. Clearly, a ring-shaped line can not have a proximate portion and a distal portion as is the case for the elevations of claim 48.

Accordingly, each of amended claims 21, 38 and 48 recites limitations nowhere shown, described or suggested by Vathulya. It is therefore submitted that the invention defined by these claims is patentable over this reference. Entry of this clarifying amendment is requested in order to put the application into condition for allowance.

With this response, the application is believed to be in condition for allowance. Should the examiner deem a telephone conference to be of assistance in advancing the application to allowance, the examiner is invited to call the undersigned attorney at the telephone number below.

Respectfully submitted,

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